

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

EMILY BOLASKI,)	Case No. 1:23-CV-02056
O/B/O RALPH MILLS (DECEASED))	
)	JUDGE DAN AARON POLSTER
Plaintiff,)	
)	MAGISTRATE JUDGE KNAPP
v.)	
)	<u>ORDER ADOPTING REPORT &</u>
COMMISSIONER OF SOCIAL SECURITY,)	<u>RECOMMENDATION</u>
)	
Defendant.)	

On September 24, 2024, Magistrate Judge Knapp filed a report and recommendation (“R&R”) recommending the final decision of the Commissioner be affirmed, ECF Doc. 11, which recommends that the Court affirm the Commissioner’s final decision. It is now October 9, 2024, and no objections to the R&R have been filed.

Under the relevant statute,

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1). The failure to timely file written objections to a Magistrate Judge’s R&R constitutes a waiver of the right to obtain a *de novo* review of the R&R in the district court. *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 149-50

(1985). The failure to file written objections also results in a waiver of the right to appeal. *Thomas v. Arn*, 728 F.2d 813, 814-15 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985).

Here, the time for objection has passed and no objections have been filed. Nonetheless, the Court has reviewed the Magistrate Judge's thorough R&R. The Court agrees with the Magistrate Judge that the ALJ's findings were supported by substantial evidence and that the ALJ complied with the requirements of SSR 00-4p. Consequently, the Court agrees with the Magistrate Judge that the Commissioner's final decisions should be affirmed. The Court ADOPTS the R&R in full and DISMISSES the above-captioned case.

IT IS SO ORDERED.

Dated: October 9, 2024

s/Dan Aaron Polster

United States District Judge